

UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF SOUTH CAROLINA

IN RE:	)	
	)	B/K Case No. 09-05652-DD
KENNETH GWYNN and	)	
JESSIE C. GWYNN,	)	Chapter 7
	)	
Debtors.	)	NOTICE AND APPLICATION FOR SALE

**TO: All Creditors and Parties in Interest**

YOU ARE HEREBY NOTIFIED that the Trustee in this case proposes to sell the property herein described according to the terms and conditions stated below.

TAKE FURTHER NOTICE that any response, return and/or objection to this application should be filed with the Clerk of the Bankruptcy Court no later than twenty one (21) days from service of motion/application and a copy simultaneously served on all parties in interest.

TAKE FURTHER NOTICE that no hearing will be held on this application unless a response, return and/or objection is timely filed and served, in which case, the Court will conduct a hearing on **June 21, 2011 at 9:00 am**, at the United States Bankruptcy Court, 145 King Street, Suite 225, Charleston, South Carolina. No further notice of this hearing will be given.

TYPE OF SALE: Private Sale.

PROPERTY TO BE SOLD: The Debtors' interest in Mountain County Properties, LLC (Herein referred to as "MCP")  
The Debtors' interest in Legacy Development SC Group, LLC (Herein referred to as "Legacy")

**NOTICE: THE TRUSTEE IS SELLING THE ABOVE-REFERENCED PROPERTY "AS IS," WITHOUT ANY WARRANTIES WHATSOEVER INCLUDING, BUT NOT LIMITED TO, WARRANTY AS TO TITLE, OWNERSHIP AND THE ABILITY TO TRANSFER THE INTEREST. THE BUYER AGREES TO RECEIVE THE PROPERTY WITH ALL FAULTS. THE TRUSTEE MAKES NO WARRANTY, EXPRESS OR IMPLIED, REGARDING THE PROPERTY, AND SPECIFICALLY EXCLUDES ANY IMPLIED WARRANTY OF MERCHANTABILITY AND ANY IMPLIED WARRANTY OF FITNESS FOR A PARTICULAR USE OR PURPOSE. THE BUYER SHOULD HAVE THE TITLE TO THE PROPERTY RESEARCHED BEFORE THE CONSUMMATION OF THE SALE. THE TRUSTEE DOES NOT PROVIDE LIEN OPINIONS. THE SALE IS SUBJECT TO ANY AND ALL LIENS AND/ OR CORPORATE GOVERNANCE ISSUES.**

**THE BUYER HAS BEEN GIVEN THE OPPORTUNITY TO EXAMINE THE PROPERTY BEFORE SIGNING ANY CONTRACT OR SUBMITTING A BID TO PURCHASE THE PROPERTY, AND TO PERFORM SUCH TESTING, IF APPLICABLE, TO DETECT POSSIBLE LATENT DEFECTS.**

PRICE: \$20,000.00 for Mountain County Properties, LLC  
\$7,000.00 for Legacy Development SC Group, LLC

APPRAISAL VALUE: The values of the Debtors' interests in MCP and Legacy are unknown. The interests appear to have no value in the open market. Both LLCs appear to be undercapitalized.

BUYERS: Ryan E. M. Cunningham whose address is 3230 Pennsylvania Ave, Charleston, WV 25302. (The Buyer is a good faith purchaser for value under §363(m) and does not have any known adverse interest in this case or any parties involved in this case, including the Debtors, their counsel and the U.S. Trustee's office, except that the Buyer is a member of MCP. The Buyer is not a creditor of the Debtors.)

PLACE, DATE AND TIME OF SALE: This sale shall take place as soon as possible following the entry of the Order Approving the Sale by the U.S. Bankruptcy Court at a date, place and time to be agreed upon by the parties.

SALES AGENT/AUCTIONEER/BROKER/ETC.: Not Applicable.

EXPENSES OF SALE: Not Applicable. Note that this sale is not a "package deal". If a significantly higher offer is received on one LLC interest, the other LLC interest will still be sold subject to the conditions contained herein.

COMPENSATION TO SALES AGENT/AUCTIONEER/BROKER/ETC.: Not Applicable.

ESTIMATED TRUSTEE'S COMPENSATION: Reasonable compensation to be determined by the Court (but not to exceed the limits set in 11 U.S.C. §326(a)).

LIENS/MORTGAGES/SECURITY INTEREST ENCUMBERING PROPERTY: The sale is subject to all liens, including but not limited to a possible lien held by MCP. MCP alleges that the Debtor pledged his interest in MCP as collateral for a loan MCP made him for \$2,400,000.00 as evidenced by a note and security agreement. MCP has not filed a claim in the Bankruptcy case and the Trustee reserves the right to object to such claim.

DEBTOR'S EXEMPTION: Not Applicable.

PROCEEDS ESTIMATED TO BE PAID TO THE ESTATE: \$27,000.00

Applicant is informed and believes that it would be in the best interest of the estate to sell said property by private sale. Applicant also believes that the funds to be recovered for the estate from the sale of said property justify its sale and the filing of this application.

The Court may consider additional offers at any hearing held on this notice and application for sale. The Court may order at the hearing that the property be sold to another party on equivalent or more favorable terms.

The Trustee may seek appropriate sanctions or other similar relief against any party filing a spurious objection to this notice and application.

WHEREFORE, applicant requests the court issue an order authorizing sale of said property and such other and further relief as may be proper.

/s/ Kevin Campbell  
KEVIN CAMPBELL, TRUSTEE  
Post Office Box 684  
Mt. Pleasant, SC 29465  
(843) 884-6874/884-0997(fax)  
District Court ID No. 30  
[kcampbell@campbell-law-firm.com](mailto:kcampbell@campbell-law-firm.com)

Dated: May 17, 2011

UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF SOUTH CAROLINA

IN RE: )  
 )  
Kenneth Gwynn and ) Bankruptcy Case No.: 09-05652-DD  
Jessie Gwynn ) Chapter 7  
 )  
Debtor. )

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**CERTIFICATE OF MAILING**

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I, Meghan R. Garmany, Legal Assistant, Campbell Law Firm, P.A. hereby certify that  
on February 18, 2011 I mailed a true and correct copy of the following:

**NOTICE OF APPLICATION FOR SALE OF PROPERTY and  
ORDER APPROVING SETTLEMENT**

by mailing said copies by First Class United States mail and Certified mail, with proper  
postage affixed thereto and addressed to the following parties and those on the mailing  
matrix

F. Miles Adler, Esq.  
Adler Law Firm, LLC  
241A Willbrook Blvd., Suite 200  
Pawleys Island, SC 29585

Michael A. Henry  
Gross McFinley, LLP  
33 South Seventh Street  
Allentown, PA 18105

Richard Neely  
Law Offices of Neely & Callaghan  
159 Summers Street  
Charleston, WV 25301-2134

/s/ Meghan R. Garmany  
MEGHAN R. Garmany, Legal Assistant  
Campbell Law Firm, PA  
Post Office Box 684  
Mt. Pleasant, SC 29465  
(843) 884-6874/ (843) 884-0997 fax

Mt. Pleasant, South Carolina  
Dated: May 20, 2011

Label Matrix for local noticing  
0420-2  
Case 09-05652-dd  
District of South Carolina  
Charleston  
Fri May 20 08:15:26 EDT 2011

AT&T Mobility  
c/o Armi, Inc.  
Attn: Managing Agent  
PO Box 3427  
Bloomington IL 61702-3427

B-Line, LLC  
Mail Stop 550, 2101 4th Ave., Suite 1030  
Seattle, WA 98121-2317

BP Cardmember Services  
Attn: Managing Agent  
PO Box 15325  
Wilmington DE 19886-5325

BRET ANDERSON  
JOE P FOREST II  
STAHLZELLOE PC  
11350 RANDOM HILLS RD STE 700  
FAIRFAX VIRGINIA 22030-6044

BRIAN AND TAMMY VIOLA  
JOHN P FOREST II  
STAHLZELLOE PC  
11350 RANDOM HILLS RD STE 700  
FAIRFAX VIRGINIA 22030-6044

Bank of America  
c/o Firstsource Advantage, LLC  
PO Box 628  
Buffalo NY 14240-0628

Belk  
Attn: Managing Agent  
P Box 960012  
Orlando FL 32896-0012

Joseph F. Buzhardt III  
Office of the United States Trustee  
1835 Assembly Street Suite 953  
Columbia, SC 29201-2448

(p)CAPITAL ONE  
PO BOX 30285  
SALT LAKE CITY UT 84130-0285

CATHERINE PUGSLEY  
JOHN P FOREST II  
STAHLZELLOE PC  
11350 RANDOM HILLS ROAD  
SUITE 700  
FAIRFAX VA 22030-6044

CHRIS MARTIN  
JOHN P FOREST II  
STAHLZELLOE PC  
11350 RANDOM HILLS RD STE 700  
FAIRFAX VIRGINIA 22030-6044

Kevin Campbell  
PO Box 684  
Mount Pleasant, SC 29465-0684

Suzanne Campbell Chisholm  
Campbell Law Firm  
890 Johnnie Dodds Blvd.  
Mt. Pleasant, SC 29464-6129

Capital One/Mastercard  
Attn: Managing Agent  
PO Box 71083  
Charlotte NC 28272-1083

Capital Recovery III LLC  
c/o Recovery Management Systems Corp  
25 SE 2nd Avenue Suite 1120  
Miami, FL 33131-1605

Chase Bank USA, N.A.  
PO Box 15145  
Wilmington, DE 19850-5145

Citi Advantage Card  
Attn: Managing Agent  
PO box 688901  
Des Moines IA 50368-8901

Citibank Choice Visa  
Attn: Managing Agent  
PO box 26999  
San Diego CA 92196-0999

Felix B. Clayton  
PO Box 1044  
Beaufort, SC 29901-1044

Felix B. Clayton  
Law Office of Felix B. Clayton  
P.O. Box 1044  
Beaufort, SC 29901-1044

Cockinos Appraisal Service  
Attn: Managing Agent  
618 Chestnut Rd., Suite 103  
Myrtle Beach SC 29572-5504

CompuCredit  
16 McLeland Road  
St. Cloud, MN 56303-2198

B. Lindsay Crawford III  
Crawford & Von Keller LLC  
PO Box 4216  
Columbia, SC 29240-4216

Dillard's  
Attn: Managing Agent  
PO Box 960012  
Orlando FL 32896-0012

Eastern Savings Bank  
c/o Joseph T. Merli, Esq.  
PO Box 71727  
North Charleston SC 29415-1727

Eastern Savings Bank, FSB, isaoa  
11350 McCormick Rd., EP 2 #300  
Hunt Valley, MD 21031-1002

FFCC-Columbus, Inc.  
Attn: Managing Agent  
1550 Old Henderson Rd., Suite 100  
Columbus OH 43220-3626

First Citizens Bank  
c/o Nationwide Credit  
Attn: Managing Agent  
PO Box 740640  
Atlanta GA 30374-0640

GMAC  
Attn: Managing Agent  
PO Box 380901  
Minneapolis MN 55438-0901

GMAC  
P O Box 130424  
Roseville, MN 55113-0004

Kenneth H. Gwynn  
1511 Serena Drive  
Myrtle Beach, SC 29579-5102

(p)INTERNAL REVENUE SERVICE  
CENTRALIZED INSOLVENCY OPERATIONS  
PO BOX 7346  
PHILADELPHIA PA 19101-7346

JULIE DAY  
JOHN P FOREST II  
STAHLZELLOE PC  
11350 RANDOM HILLS ROAD  
SUITE 700  
FAIRFAX VA 22030-6044

LTD Financial Services, LP  
Attn: Managing Agent  
7322 Southwest Freeway, Suite 1600  
Houston TX 77074-2053

Lowe's  
Attn: Managing Agent  
PO Box 960010  
Orlando FL 32896-0010

Nissan-Infiniti LT  
P.O. Box 660366  
Dallas, TX 75266-0366

PALLINO RECEIVABLES III LLC  
c o Jefferson Capital Systems LLC  
PO BOX 7999  
SAINT CLOUD MN 56302-7999

Pool Services Corp.  
MARK CALDWELL GENERAL MANAGER  
150 Sun Light Drive  
Myrtle Beach SC 29588-9259

RMCB, Inc.  
Attn: Managing Agent  
2269 Saw Mill River Rd., Bldg. 3  
Elmsford NY 10523-3848

Case 09-05652-dd Doc 141 Filed 05/20/11 Entered 05/20/11 08:19:39 Desc Main Document Page 5 of 7  
Golf Village Property Owners Association  
c/o Patrick & Stathos, LLC  
PO Drawer 15669  
Myrtle Beach SC 29587-5669

Janet B. Haigler  
Finkel Law Firm, LLC  
1201 Main Street, Suite 1800  
PO Box 1799  
Columbia, SC 29202-1799

JEFFERSON CAPITAL SYSTEMS LLC  
PO BOX 953185  
ST LOUIS, MO 63195-3185

Jefferson Capital Systems LLC  
PO BOX 7999  
SAINT CLOUD, MN 56302-7999

LVNV Funding LLC  
Resurgent Capital Services  
PO Box 10587  
Greenville, SC 29603-0587

MICHAEL HARRIS  
JOHN P FOREST II  
STAHLZELLOE PC  
11350 RANDOM HILLS ROAD  
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Ocean Atlantic Properties, LLC  
Attn: Ron LeGrande  
9799 Old St. Augustine Rd.  
Jacksonville, FL 32257-8974

Palisades Collections, LLC  
Vativ Recovery Solutions LLC  
As Agent For Palisades Collections, LLC  
PO Box 19249  
Sugar Land TX 77496-9249

Mary R. Powers  
Rogers Townsend Thomas PC  
PO Box 100200  
Columbia, SC 29202-3200

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Myrtle Beach, SC 29579-5102

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Finkel Law Firm, LLC  
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Columbia, SC 29202-1799

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JOHN P FOREST II  
STAHLZELLOE PC  
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FAIRFAX VIRGINIA 22030-6044

KEVIN FORD  
JOHN P FOREST II  
STAHLZELLOE PC  
11350 RANDOM HILLS RD STE 700  
FAIRFAX VIRGINIA 22030-6044

Lowe's  
Attn: Managing Agent  
PO Box 530970  
Atlanta GA 30353-0970

NORTH STAR CAPITAL ACQUISITIONS LLC  
c o Jefferson Capital Systems LLC  
PO BOX 7999  
SAINT CLOUD MN 56302-7999

Office Depot  
Attn: Managing Agent  
PO Box 689020  
Des Moines IA 50368-9020

Pier One Imports  
Attn: Managing Agent  
PO Box 15325  
Wilmington DE 19886-5325

Quest Diagnostics Inc.  
c/o AMCA  
2269 Saw Mill River Rd., Bldg. 3  
Elmsford NY 10523-3848

Recovery Management Systems Corporation  
25 SE Second Avenue  
Suite 1120  
Miami, FL 33131-1605

Recovery Management Systems Corporation  
25 S.E. 2nd Avenue, Suite 1120  
Miami, FL 33131-1605

Recovery Management Systems Corporation  
For Capital Recovery III LLC  
As Assignee of Accounts Management Servi  
25 SE 2nd Avenue Suite 1120  
Miami FL 33131-1605

Recovery Management Systems Corporation  
For GE Money Bank  
dba DILLARD'S  
25 SE 2nd Ave Ste 1120  
Miami FL 33131-1605

Recovery Management Systems Corporation  
For GE Money Bank  
dba LOWE'S PLATINUM VISA  
25 SE 2nd Ave Ste 1120  
Miami FL 33131-1605

Regions Bank  
Attn: Managing Agent  
PO Box 11407  
Birmingham, AL 35246-0054

Rodale  
Attn: Managing Agent  
33 E. Minor St.  
Emmaus PA 18098-0099

Roundup Funding, LLC  
MS 550  
PO Box 91121  
Seattle, WA 98111-9221

Jennifer W. Rubin  
Rogers Townsend and Thomas  
PO Box 100200  
Columbia, SC 29202-3200

SC Dept. of Revenue  
Attn: Managing Agent  
PO Box 12265  
Columbia, SC 29211-2265

Shell Processing Center  
Attn: Managing Agent  
PO Box 183018  
Columbus OH 43218-3018

John Timothy Stack  
Office of the United States Trustee  
1835 Assembly Street Suite 953  
Columbia, SC 29201-2448

Streamline Irrigation & Lawn Service  
Attn: Managing Agent  
3236 Fieldstone Street  
Myrtle Beach SC 29579-3305

Surfside Cleaners  
Attn: Managing Agent  
PO Box 14034  
Myrtle Beach SC 29587-4034

THEODORE HOOTEN  
JOHN P FOREST II  
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SUITE 700  
FAIRFAX VA 22030-6044

US Trustee's Office  
Strom Thurmond Federal Building  
1835 Assembly St.  
Suite 953  
Columbia, SC 29201-2448

U. S. Trustee's Office  
1835 Assembly Street, Room 953  
Columbia, SC 29201-2448

VATIV RECOVERY SOLUTIONS LLC  
P.O. Box 40728  
Houston, TX 77240-0728

VATIV RECOVERY SOLUTIONS, LLC, dba SMC  
As Agent For PALISADES COLLECTION/ ASTA  
P.O. Box 40728  
Houston, TX 77240-0728

Vativ Recovery Solutions, LLC  
PO Box 19249  
Sugar Land, TX 77496-9249

Viking Collection Service, Inc.  
Attn: Managing Agent  
PO Box 59207  
Minneapolis MN 55459-0207

Theodore Von Keller  
Crawford and Von Keller  
PO Box 4216  
Columbia, SC 29240-4216

WFNNB - Spiegel  
Attn: Managing Agent  
PO Box 659705  
San Antonio TX 78265-9705

Washington Mutual  
Attn: Managing Agent  
PO Box 44090  
Jacksonville FL 32231-4090

Washington Mutual Bank  
7255 Baymeadows Way  
Mail Stop JAXB2007  
Jacksonville, FL 32256-6851

Dalton H. Watkins  
2008 Marion Street, Suite A-1  
PO Box 1757  
Columbia, SC 29202-1757

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(d)Eastern Savings Bank, FSB, isaoa  
11350 McCormick Rd., EP 2 #300  
Hunt Valley MD 21031-1002

(d)GMAC Inc.  
Post Office Box 130424  
Roseville, MN 55113-0004

(d)Janet B. Haigler  
Finkel Law Firm,, LLC  
PO Box 1799  
Columbia, SC 29202-1799

(u)JPMorgan Chase Bank, National Association

(u)Nissan Motor Acceptance Corporation

(d)Roundup Funding, LLC  
MS 550  
PO Box 91121  
Seattle, WA 98111-9221

(u)Washington Mutual Bank, as servicer for De

End of Label Matrix  
Mailable recipients 84  
Bypassed recipients 7  
Total 91